

Notice of Allowability

Application No.

10/807,345

Examiner

Sara Addisu

Applicant(s)

TOYOSE, HIDENORI

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/15/06.
2. ☒ The allowed claim(s) is/are 1-4, 7, 9, 11 and 13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Rosner on 8/2/06.

The application has been amended as follows:

- Claims 6, 8, 10, 12 and 14 are cancelled.
- Claim 1, page 2, line 2, "second screw" is replaced by "fastening screw".
- Claim 1, page 2, line 4, "second screw" is replaced by "fastening screw".
- Claim 1, page 2, line 6, "second" is replaced by "fastening".
- Claim 2, page 2, line 2, "second screw" is replaced by "fastening screw".
- Claim 3, page 2, line 2, "second screw" is replaced by "fastening screw".
- Claim 4, page 2, line 2, "second screw" is replaced by "fastening screw".
- Claim 13, page 4, line 1, "second screw" is replaced by "fastening screw".
- Claim 13, page 4, line 2, "second screw" is replaced by "fastening screw".
- Claim 13, page 4, line 3, delete "wrench reception socket of the".

Allowable Subject Matter

Claims 1-4, 7, 9, 11 and 13 are allowed.

The closest prior arts to the instant invention are Hessman et al. (U.S. Patent No. 5,667,343) and Ueno (U.S. Patent No. 6,634,842). Hessman et al. teaches a milling cutter having a cassette (cartridge) (4) for removably supporting diamond coated cutting insert (i.e. cutting edge of formed of diamond) (5) with the use of fastening screw (11) (Col. 5, lines 17-18). Hessman et al. also teaches the cassette being fixed in the groove (3) of the cutter body member using fastening screw (6 & 7). Furthermore, Hessman et al. teaches the use of tap (8) for adjusting the position of the cartridge ('343, Figure 1 and Col. 3, lines 64-67). Hessman et al. fails to teach wrench reception socket of the fastening screws (for attaching cassette to tool and the adjustment screw) being sealed. Although, Ueno (U.S. Patent No. 6,634,842), teaches hexagon recess portion of a screw (33c), which is a wrench-receiving socket ('842, Col. 12, lines 31-34) sealed by resin-made embedding material (Col. 9, line 1), Ueno's invention is for a crime prevention screw thus modifying Hessman et al. with Ueno would require hindsight reconstruction. Furthermore, Ueno fails to anticipate or make obvious the resin-made embedding material having the capability of being unsealed for readjustment and resealed as needed (i.e. Ueno teaches a crime prevention screw that prevents the screw from being drawn out making it hard for frequent removal of the screw for readjustment as needed for the cutting tool).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Addisu at (571) 272-6082. The examiner can normally be reached on 8:30 am - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sara Addisu
(571) 272-6082

SA
8/2/06

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER